S.B. Civil Writ Petition NO.736/2005
Mohan Lal
vs
Board of Revenue & Ors.

DATE OF ORDER : - 29.3.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. J.K.Bhaiya, for the petitioner.

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Heard learned counsel for the petitioner.

The suit was filed by the plaintiff-respondent Natha Ji on 16.1.67. The suit was decreed by the trial court on 1st Oct., 1971. The appeal of the petitioner-defendant was dismissed by the revenue appellate authority on 8th July, 1975. The second appeal before the Board of Revenue was preferred by the petitioner and by order dated 29th July, 1987, the matter was remanded to the trial court. The trial court again decreed the suit of the plaintiff-respondent on 14th Jan., 1994. The petitioner-defendant preferred appeal before the revenue appellate court, which was dismissed by the revenue appellate authority vide judgment and decree dated 24th Nov., 1996. The petitioner preferred second appeal before the Board of Revenue, which was dismissed by the Board of Revenue on 10th May, 2002 for non-compliance on the part of the petitioner. The petitioner submitted application for review of the order dated 10th May, 2002, that too was dismissed by the Board of

Revenue vide order dated 22nd Jan., 2003. It is not in dispute that petitioner did not submit even the application for brining on record the legal representatives in time. The last order, which was passed against the petitioner in the series of judgments and decrees is dated 22.1.2003. The petitioner preferred this writ petition on 4.2.2005 after delay of two years.

The facts mentioned above are sufficient facts to dis-entitle the petitioner to assail the order of the Board of Revenue after more than two years. There must be one end to litigation. The petitioner got six opportunities and availed the 7th opportunity by filing review and, thereafter, preferred this writ petition. I do not find any reason to entertain the writ petition.

Hence, the writ petition of the petitioner is dismissed.

(Prakash Tatia), J.

c.p.goyal/-